

HOUSE BUDGET & RESEARCH OFFICE

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HOUSE COMMUNICATIONS

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TOMORROW'S FORECAST

* The House will reconvene for its 19th Legislative Day on Tuesday, February 19, at 10:00 AM.

* 4 bills are expected to be debated on the floor.

**GEORGIA HOUSE OF REPRESENTATIVES*****DAILY REPORT*****Friday, February 15, 2013****18th Legislative Day****TODAY ON THE FLOOR****RULES CALENDAR****HB 80 - Ad valorem tax; state and local title fees; revise provisions**

- BILL SUMMARY: HB 80 amends the Ad Valorem title fee system that was established in the tax reform package in 2012:

- Changes the Definition of "Fair Market Value" from the average of the book amount for the current FMV and the book amount for the wholesale FMV to either the same blended average or the retail selling price, whichever is higher.

O The retail selling price definition will be expounded to (a) include charges for: labor, freight, delivery, dealer add-ons, and markups; and to (b) exclude charges for extended warranties, maintenance agreements, finance, insurance, and interest charges.

- Provides an exception for vehicles titled and registered under the International Registration Plan (IRP) – they will not be subject to the state and local title ad valorem tax fees
- Allows for online registration system
- Sets a schedule of penalties for failure to timely register a vehicle
- Amends the State Title Ad Valorem Tax Fee to be set at .375% for rental vehicles, down from .75%, subject to a minimum sales and use tax revenue per rental vehicle threshold of \$400.00; failure to of a particular vehicle to meet the minimum threshold disqualifies it from the preferential rate
- Sets the State and Local Ad Valorem Fee rate at 6.5% for all leases; requires lessors to register with the Revenue Dept. at a cost of \$100 per registrant; lessee must register tag within 30 days of lease
- Exempts the following transactions from incurring state and local ad valorem fee liability:
 - o Addition or substitution of lienholders so long as ownership remains the same
 - o Acquisition of bonded title by 40-3-28
 - o Acquisition of abandoned vehicles by a manufacturer or dealer of motor vehicles
 - o Acquisition by manufacturer, distributor, dealer, or rebuilder, for resale or title correction purposes, only
 - o Acquisition of title pursuant to repossession under a valid security interest in the event of payment default
 - o Amending title for purposes of correcting odometer readings or removing an odometer discrepancy legend, so long as title is not being transferred
- Creates a misdemeanor for failure to obtain title for and register a motor vehicle in accordance with this section
- For purchases of motor vehicles that have a model year between 1963 and 1987:
 - o The state title ad valorem fee shall be .5% of FMV
 - o The local ad valorem title fee shall be .5% of FMV
- Requires any taxpayer that chooses to appeal the FMV determination of a vehicle to pay the full amount initially assessed prior to commencing the FMV appeal.
- Exempts lease payments from sales and use tax that would otherwise be imposed on vehicles that have been assessed a state and local ad valorem tax fee, and such fee has been satisfied.

- **Authored By:** Rep. Tom Rice of the 95th

- **House Committee:** Ways & Means

- **Rule:** Structured

- **Yeas:** 159; **Nays:** 4

HB 87 - Elections; use of the boundaries of a gated community as the boundaries of a precinct; authorize

- BILL SUMMARY: HB 87 adds the private property lines of a restricted access residential (gated) community to the list of acceptable boundaries for voting precincts.
- **Authored By:** Rep. Dustin Hightower of the 68th
- **House Committee:** Governmental Affairs
- **Rule:** Modified-Structured
- **Yeas:** 141; **Nays:** 20

HB 194 - Public utilities; venue for actions against gas companies; provide

- BILL SUMMARY: In a tort or breach of contract suit against a railroad or electric utility, a case is usually heard in the county where the incident occurred. HB 194 applies this same standard to gas utilities.
- **Authored By:** Rep. Jay Powell of the 171st
- **House Committee:** Judiciary
- **Rule:** Modified-Open
- **Yeas:** 160; **Nays:** 0

HB 202 - Highways, bridges, and ferries; performing value engineering studies; provide requirements

- BILL SUMMARY: This is the annual GDOT bill and amends two sections of the Code. Section 1 amends Code Section 32-2-41.2, relating to the development of benchmarks, reports, and value engineering studies by the Department of Transportation to require value engineering studies to be performed on all projects whose costs exceed \$50 million, except for any design build projects. Section 2 amends Code Section 32-5-30, relating to congressional balancing of funds. Congressional balancing currently is not applied to any federal funds specifically designated for projects earmarked by a member of Congress in excess of appropriated funds but this legislation would also exclude from the balancing requirement any funds for a project undertaken for purposes of improving the Eisenhower Interstate System, and any funds for a project undertaken for improving any part of the state designated freight corridor, when the designation is made by the director or planning with the approval of a majority of the board.
- The committee substitute included language resolving an issue with last year's emergency tow permit created by HB 835.
- **Authored By:** Rep. James Epps of the 144th
- **House Committee:** Transportation
- **Rule:** Modified-Structured
- **Yeas:** 163; **Nays:** 0

LOCAL CALENDAR

HB 294 - Lamar County school district; \$7,000 of assessed value of specified five-year phase-in period for residents 70 years or older; provide homestead exemption

- BILL SUMMARY: A Bill to provide a homestead exemption from Lamar County school district ad valorem taxes for educational purposes in the amount of \$7,000.00 of the assessed value of the homestead after a specified five-year phase-in period for residents of that school district who are 70 years of age or older.
- **Authored By:** Rep. Johnnie Caldwell of the 131st
- **House Committee:** Intragovernmental Coordination - Local
- **Rule:** Open
- **Yeas:** 155; **Nays:** 0

RECOMMITTED TO COMMITTEE

HB 286 - Hawkinsville, City of; Pulaski County; create and incorporate new political body corporate under name Hawkinsville-Pulaski County, Georgia

- BILL SUMMARY: A Bill to provide a unified form of government for the City of Hawkinsville and Pulaski County and to provide for its powers and duties.
- **Authored By:** Rep. Buddy Harden of the 148th
- **House Committee:** Intragovernmental Coordination - Local

** The House will reconvene Tuesday, February 19, at 10:00 AM, for its 19th Legislative Day.*

COMMITTEE ON RULES

The Committee on Rules has fixed the calendar for the 19th Legislative Day, Tuesday, February 19, and bills may be called at the pleasure of the Speaker.

NEXT ON THE FLOOR

HB 68 - Physicians; continuing education requirements licensed to practice orthotics or prosthetics; revise provisions

- BILL SUMMARY: House Bill 68 amends the continuing education requirements for orthotics and prosthetics practice. This bill would change the requirements from 40 hours annually to an amount deemed appropriate by the board, but not more than 40 hours.

- **Authored By:** Rep. E. Culver "Rusty" Kidd of the 145th
- **House Committee:** Health & Human Services
- **House Committee Passed:** 2/6/2013
- **Rule:** Modified-Open

HB 124 - Local elections; votes cast for disapproval of Sunday alcohol sales by retailers shall not nullify prior election results; provide

- BILL SUMMARY: House bill 124 relates to the local authorization and regulation of sales of alcoholic beverages on Sundays by upholding past electoral decisions. The legislation states that if more than one-half the votes cast on the question of Sunday package sales were against the matter, their rejection will not nullify the prior election results allowing retailers of malt beverages and wine to allow the sales of said beverages on Sundays between the hours of 12:30 P.M. and 11:30 P.M. The legislation defines a "retail package liquor store" as a retail business establishment owned by an individual, partnership, corporation, association, or other business entity primarily engaged in the retail sale of distilled spirits, malt beverages, and wine in unbroken packages, not for consumption on the premises which derives at least 75% of its total annual gross sales from a combination of these beverages.

- **Authored By:** Rep. Brett Harrell of the 106th
- **House Committee:** Regulated Industries
- **House Committee Passed:** 2/6/2013
- **Rule:** Modified-Structured

HB 182 - Juvenile court administration; hearing on the order of an associate court judge; delete provisions

- BILL SUMMARY: The bill eliminates the 2nd hearing a juvenile may have with the elected or appointed juvenile court judge after an associate juvenile court judge has issued an order/decision.

- **Authored By:** Rep. Tom Weldon of the 3rd
- **House Committee:** Juvenile Justice
- **House Committee Passed:** 2/6/2013
- **Rule:** Modified-Open

HB 246 - Georgia World Congress Center Authority; benefit programs to its officers, employees, and other agents; provide

- BILL SUMMARY: HB 246 gives the Georgia World Congress Center Authority the power to provide flexible benefits to its officers and employees. This bill is necessary due to the fact they no longer participate in state employee benefit programs.

- **Authored By:** Rep. Rich Golick of the 40th
- **House Committee:** Insurance
- **House Committee Passed:** 2/13/2013
- **Rule:** Modified-Structured

**** The Rules Committee will next meet on Tuesday, February 19, at 9:00 AM, to set the Rules Calendar for the 20th Legislative Day.***

COMMITTEE ACTION REPORT

Governmental Affairs

HB 264 - Metropolitan Atlanta Rapid Transit Authority Act of 1965; extensively revise

- BILL SUMMARY: The bill is an extensive rewrite fo the Metropolitan Atlanta Rapid Transit Authority Act of 1965, or the MARTA Act.
- **Authored By:** Rep. Mike Jacobs of the 80th
- **Committee Action:** Do Pass by Committee Substitute

Governmental Affairs

HB 265 - Mass transportation; suspension of restrictions on the use of annual proceeds from sales and use taxes by public transit authorities; repeal provisions

- BILL SUMMARY: The bill is repealing the composition of the board of directors of MARTA and the 50/50 restriction language from the Code in the event that House Bill 264 passes. If HB 264 does not pass, the repeal would not go into effect.
- **Authored By:** Rep. Mike Jacobs of the 80th
- **Committee Action:** Do Pass by Committee Substitute

Intragovernmental Coordination

HB 252 - Athens-Clarke County; chief magistrate judge; provide nonpartisan elections

- BILL SUMMARY: A Bill to provide for the nonpartisan election of the Chief Magistrate Judge of the Magistrate Court of Athens/Clarke County.
- **Authored By:** Rep. Regina Quick of the 117th
- **Committee Action:** Do Pass

Intragovernmental Coordination

HB 253 - Athens-Clarke County; provide future nonpartisan elections for office of probate judge

- BILL SUMMARY: A Bill to provide for the nonpartisan election of the Probate Judge of the Probate Court of Athens/Clarke County.
- **Authored By:** Rep. Regina Quick of the 117th
- **Committee Action:** Do Pass

Intragovernmental Coordination

HB 286 - Hawkinsville, City of; Pulaski County; create and incorporate new political body corporate under name Hawkinsville-Pulaski County, Georgia

- BILL SUMMARY: A Bill to provide a unified form of government for the City of Hawkinsville and Pulaski County and to provide for its powers and duties.
- **Authored By:** Rep. Buddy Harden of the 148th
- **Committee Action:** Do Pass

Intragovernmental Coordination - Local

HB 286 - Hawkinsville, City of; Pulaski County; create and incorporate new political body corporate under name Hawkinsville-Pulaski County, Georgia

- BILL SUMMARY: A Bill to provide a unified form of government for the City of Hawkinsville and Pulaski County and to provide for its powers and duties.
- **Authored By:** Rep. Buddy Harden of the 148th
- **Committee Action:** Do Pass

Intragovernmental Coordination - Local

HB 319 - Fairburn, City of; exercise all redevelopment and other powers under the Redevelopment Powers Law; authorize

- BILL SUMMARY: A Bill to authorize the City of Fairburn to exercise all redevelopment powers as permitted under the State Constitution and the Redevelopment Powers Law pending a local referendum to approve the authorization.
- **Authored By:** Rep. Sharon Beasley-Teague of the 65th
- **Committee Action:** Do Pass

Intragovernmental Coordination - Local

HB 321 - Fairburn, City of; millage caps on ad valorem taxation of real and personal property; remove

- BILL SUMMARY: A Bill to remove the millage caps on ad valorem taxation of real and personal property in the City of Fairburn.
- **Authored By:** Rep. Sharon Beasley-Teague of the 65th
- **Committee Action:** Do Pass

Intragovernmental Coordination - Local

HB 334 - Euharlee, City of; provide new charter

- BILL SUMMARY: A Bill to provide a new charter for the City of Euharlee.
- **Authored By:** Rep. Trey Kelley of the 16th
- **Committee Action:** Do Pass

Judiciary

HB 161 - Trial juries; oath of bailiffs; change provisions

- BILL SUMMARY: HB 161 modernizes the oath of bailiffs and makes sure it applies to oaths given in all courts which hold jury trials. It removes antiquated language and tightens the oath by taking into consideration modern technology.
- **Authored By:** Rep. Alex Atwood of the 179th
- **Committee Action:** Do Pass

Judiciary

HB 175 - Covenants and warranties; certain covenants run with the land as a matter of public policy of this state; provide

- BILL SUMMARY: HB 175 states that a covenant runs with the title to land when a property owner and a third party agrees to it for no more than 20 years, and it is adequately described in the recorded instrument.
- **Authored By:** Rep. Dustin Hightower of the 68th
- **Committee Action:** Do Pass by Committee Substitute

Natural Resources & Environment

HB 177 - Oconee River Greenway Authority; change the membership

- BILL SUMMARY: HB 177 amends the makeup of the Oconee River Greenway Authority by allowing no more than four (the current law requires exactly two) residents of each county which is in the geographic jurisdiction of the authority who have training or experience in biology, botany or environmental science and who shall be appointed by the chairperson of the governing authority of such county to serve on the authority.
- **Authored By:** Rep. Joe Wilkinson of the 52nd
- **Committee Action:** Do Pass

Small Business Development

HB 83 - Mortgage broker licensing requirements; licensed real state brokers and salespersons assisting in a short sale real estate transaction; exempt

- BILL SUMMARY: House Bill 83 amends the Georgia Code as it relates to the licensing of mortgage lenders and brokers by providing an exemption for licensed real estate brokers and salespersons assisting in short sale real estate transactions from mortgage broker licensing requirements.

- **Authored By:** Rep. David Knight of the 130th

- **Committee Action:** Do Pass

Transportation

HB 264 - Metropolitan Atlanta Rapid Transit Authority Act of 1965; extensively revise

- BILL SUMMARY: The bill is an extensive rewrite for the Metropolitan Atlanta Rapid Transit Authority Act of 1965, or the MARTA Act.

- **Authored By:** Rep. Mike Jacobs of the 80th

- **Committee Action:** Do Pass by Committee Substitute

Transportation

HB 265 - Mass transportation; suspension of restrictions on the use of annual proceeds from sales and use taxes by public transit authorities; repeal provisions

- BILL SUMMARY: The bill is repealing the composition of the board of directors of MARTA and the 50/50 restriction language from the Code in the event that House Bill 264 passes. If HB 264 does not pass, the repeal would not go into effect.

- **Authored By:** Rep. Mike Jacobs of the 80th

- **Committee Action:** Do Pass by Committee Substitute

** Bills passing committees are reported to the Clerk's Office, and are then placed on the General Calendar.*

COMMITTEE MEETING SCHEDULE

Friday, February 15, 2013

9:30 AM - 12:00 PM [JUDICIARY NON-CIVIL](#) 132 CAP

Saturday, February 16, 2013 : No Meetings Today

Sunday, February 17, 2013 : No Meetings Today

Monday, February 18, 2013 : No Meetings Today

Tuesday, February 19, 2013

TBD [Floor Session \(LD19\)](#) HOUSE CHAMBER (10:00am)

9:00 AM - 10:00 AM [RULES](#) 341 CAP

2:00 PM - 4:00 PM [JUDICIARY CIVIL](#) 132 CAP

4:00 PM - 5:00 PM [Powell Subcommittee \(One\) of Judiciary Civil](#) 132 CAP (or Upon Adjournment of Full Judiciary Civil)

4:00 PM - 4:30 PM [Welch Subcommittee of Juvenile Justice](#) 406 CLOB

4:30 PM - 5:00 PM [JUVENILE JUSTICE](#) 406 CLOB (or Upon Adjournment of Welch Sub.)

** This meeting schedule is up to date at the time of this report, but meeting dates and times are subject to change. To keep up with the latest schedule please visit www.house.ga.gov and click on [Meetings Calendar](#).*